Norris, McLaughlin & Marcus, P.A.

Deanna L. Koestel, Esquire (DK9307) 721 Route 202-206 P.O. Box 1018 Somerville, NJ 08876-1018 Tel (908) 722-0700 Attorneys for Marsha L. Green

## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

**COMMODITY FUTURES TRADING:** 

COMMISSION,

Plaintiff,

vs.

FINANCIAL GROUP, LLC, TECH TRADERS, INC., TECH TRADERS. LTD., MAGNUM CAPITAL INVESTMENTS, LTD., VINCENT J. FIRTH, ROBERT W. SHIMER, COTY E. MURRAY, and J. VERNON ABERNETHY

Defendants.

Civil Action No.: 04CV1512

Honorable Robert B. Kugler

## AFFIDAVIT OF MARSHA L. GREEN, CLAIMANT (CLAIM #26) IN SUPPORT OF RESPONSE TO FACTUAL ISSUES IN THE EQUITY RECEIVER'S OBJECTION

:

Marsha L. Green first being duly sworn, states as follows:

- 1. I have personal knowledge of the contents of this affidavit and I am competent to testify as to them.
- In 1999, I was encouraged to invest in an entity called Kaivalya Holding Group, Inc. 2. (hereinafter "Kaivalya") by the Defendant, Robert W. Shimer.
- 3. I invested \$134,600.00 under the terms of a Promissory Note, which provided for repayment of my principle.
- To date, I have not received any interest on the principle invested in Kaivalya. 4.

- 5. On October 31, 2003, invested in Shasta Capital Associates, LLC. (hereinafter "Shasta") once again through, Defendant, Robert W. Shimer, by wiring \$50,000.00 of my retirement funds to Shasta pursuant to the Subscription Agreement of October 28, 2003.
- 6. On February 6, 2004, I invested an additional \$15,000.00 into Shasta via First Union Check Number 1275.
- 7. Kaivalya sent to me Patriot Bank Check Number 655 in the amount of \$40,000.00 on February 6, 2004, which was represented to me as a portion of the return of my principal investment with Kaivalya.
- 8. I invested these same funds back into Shasta via a wire transfer on February 12, 2004 in the amount of \$40,000.00.
- 9. I made my last investment of \$47,000.00 via wire transfer to Shasta on April 2, 2004.
- 10. The total amount of funds I invested with Shasta was \$152,000.00.
- 11. I have reviewed the content of the Response To Legal Issues In The Equity Receiver's Objection and the Response To Factual Issues In The Equity Receiver's Objection filed by my Attorneys on my behalf and affirm the accuracy of the information contained therein.

Affiant says nothing further.

Marsha W. Sieen

SWORN TO AND SUBSCRIBED before me

this 11th day of May, 2005.

Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notaris Seal Eliza L. Sheaffer, wotary Public Sinking Spring Boro, Berks County

My Commission Expres Nov. 13, 2007